

EXHIBIT D

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

STUDENTS FOR FAIR ADMISSIONS, INC.,

Plaintiff,

v.

Civil Action No.
1:14-cv-14176-
ADB

PRESIDENT AND FELLOWS OF HARVARD
COLLEGE (HARVARD CORPORATION),

Defendant.

DECLARATION OF ABIGAIL FISHER

Abigail Fisher, pursuant to 28 U.S.C. § 1746, declares the following:

1. I am a member of Students for Fair Admissions, Inc. ("SFFA") and serve on its Board of Directors.

2. I am also one of the original plaintiffs in the case *Fisher v. University of Texas at Austin*, No. 08-CV-263 (W.D. Tex.), which is currently pending before the Supreme Court of the United States.

3. As a direct result of my involvement in that case, I have endured consistent harassment since 2008. Over the last eight years, writers and commentators have hounded me, my parents, and my friends about the case.

4. I am the frequent subject of negative articles disseminated globally through the Internet. *See, e.g.*, Hillary Crosley Coker, "Noted Dummy Abigail Fisher's Rights Weren't Violated, Rules Court," Jezebel.com (July 16, 2014), <http://goo.gl/M96073>; Tom Scocca, "The White Student Suing to Overthrow Affirmative

Action Was Too Dumb to Get Into Her Chosen School," Gawker.com (Mar. 20, 2013), <http://goo.gl/YZfm9E>.

5. Strangers have frequently sent threats, insults, and other negative messages to me on social media platforms such as Twitter, Facebook, and LinkedIn due to my participation in the lawsuit.

6. For example, there is an ongoing Twitter campaign attacking me using the "hashtag" #StayMadAbby. Thousands of people have sent tweets under this hashtag, many of which publicly question my character, accuse me of being racist and entitled, threaten me, and otherwise demean me in very vulgar terms. Some examples include:

- a. "#StayMadAbby ... bitch kill yourself";
- b. "Abigail Fischer [sic] is a good example of someone who needs to fall over and die because of ignorance and entitlement. #StayMadAbby";
- c. "someone will punch Abigail Fisher bc 1. her face is punchable, 2. she's stupid 3. She thinks too high of herself 4. She's racist."
- d. "I hope this bitch Abby stays mad to her grave smh #StayMadAbby";
- e. "#StayMadAbby somebody burn that bitch?";
- f. "#StayMadAbby Dear Bitch, If you're stupid of course you aren't going to get into a school. Dumb ass racist.";
- g. "Stay mad you pathetic bitch #StayMadAbby";
- h. "LOOL Abigail Fisher and her white entitlement, BYE HOE. #StayMadAbby #Abigail Fisher";
- i. "Fuck you Abigail Fisher. Your white privilege and mediocrity do not grant you college admissions, BYE. #StayMadAbby";

j. "This hashtag is great. Abby dumb as hell for this whole case. Bitch go to another school tf. #StayMadAbby";

k. "this #staymadabby bitch is an embarrassment. i can't believe how far its been taken in court, fuck her.";

l. #StayMadAbby is this bitch for real? She doesn't get into a college & her instinct is to blame black people like sit the fuck down & shut up";

m. "And who is this bytch ABBY? You thought just because you white, you can get into ANY college you want? LMFAOOO U DUMB HOE #StayMadAbby";

7. I am also frequently recognized at restaurants, bookstores, grocery stores, and other public places in Austin, Texas where I live. Strangers sometimes approach me to give their negative opinion of my case or to express hostility toward me generally. This makes me feel uneasy at times even to go out into public.

8. Reporters have repeatedly hounded my friends and family for their opinions about me and my case. Even my teammates on my bowling team at Louisiana State University received inquiries from the press. This harassment made me feel like a burden on my friends and family.

9. The negative publicity has also burdened me in my professional life. During the second week at my current job, a man I did not know came to my desk, pointed at my picture in a local newspaper, and asked in an aggressive tone, "Is this you?" This encounter made me feel uncomfortable at a new job.

10. The sales team at my company, a group of about 30 people, held three separate meetings to discuss a Facebook-based discussion that was going around the

office about me and the case. Ultimately, management forced the sales team to stop the discussion. This incident was a distraction at work.

11. Overall, my experiences have often led me to second-guess my involvement in the case and as an advocate against unlawful affirmative action policies. I understand why members of SFFA would be afraid if their identities were disclosed, and I believe that many members of SFFA would limit their communications and participation within the group if they believed that their names, communications, and contributions were forced to be disclosed.

12. As a board member of SFFA, I hope that I can help other members who wish to be involved in SFFA's mission and to fight against discrimination but who may have legitimate concerns about their names becoming disclosed. I understood that being a plaintiff came with risks, but it would not be fair for someone who expected confidentiality and did not volunteer for a public role to endure anything like what I have gone through because of my participation in the *Fisher* case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this day, April 27, 2016.



Abigail Fisher